



August 12, 2008

**Gaming
Commission**

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Ms. Paula Hart, Acting Director
Office of the Deputy Assistant Secretary
Policy and Economic Development
1849 C Street, NW, Mail Stop 3657-MIB
Washington DC, 20204

Dear Ms. Hart:

I am the Executive Director of the Sault Ste. Marie Tribe of Chippewa Indians Tribal Gaming Commission. Within this letter, I am submitting comments regarding proposed regulations governing the Class III Tribal State Gaming Compacting Process (RIN 1076 – AE99.)

The Proposed regulation attempts to simplify the Class III Tribal State Gaming Compacting Process by identifying the procedures Tribes and States must use when submitting Tribal-State compacts and compact amendments to the Department of Interior, and the disapproval of such Tribal-State compacts or compact amendments.

Section 293.3 What is compact? The sentence should end with the word, "activities". Take out the clause, "on the tribe's Indian lands located within the State." It is unnecessary. Section 293.11 How long will the Secretary take to review a compact or amendment?

Replace (b) "The Indian Tribe and the State will be notified in writing of the Secretary's decision to approve or disapprove a compact or amendment" with "If the Secretary has not put forward a decision to approve or disapprove a compact or amendment within 45 days, the compact or amendment will be considered approved." This change meets the requirements of 293.13.

Section 293.12 When will the 45-day timeline be triggered? Add the following sentence: "Once the compact or amendment is received and date stamped in the Office of Indian Gaming, both parties (the State and the Indian Tribe) will be notified in writing by the Office of Indian Gaming, of the date triggering the 45-day timeline."

Prior to the publication of the proposed regulation, the Office of Indian Gaming Management conducted pre-publication consultation with federally recognized Tribes. Such consultation efforts are greatly appreciated.

If you have any questions regarding my comments, please contact me or the Sault Ste. Marie Tribe of Chippewa Indians Federal Liaison, Meghan Kelly Powell at (757) 777-8838 or at federaliaison@yahoo.com.

Sincerely,

Kenneth J. Ermatinger
Executive Director
Sault Ste. Marie Tribe of Chippewa Indians
Tribal Gaming Commission

